

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

LOUIS M. BROWN,

Plaintiff,

vs.

SALLIE MAE, AND GC SERVICES, INC.

Defendants.

CIVIL ACTION NO.: 13-CV-10801

NOTICE OF REMOVAL

TO THE HONORABLE JUDGES AND CLERK OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS.

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1331, 1367, 1441, and 1446 Defendant, GC Services Limited Partnership (“GC Services”), with the consent of Defendant Sallie Mae, Inc. (“Sallie Mae”), hereby removes to this Court the above-entitled action based upon the following supporting grounds:

1. On or about March 12, 2013, an action (“the Complaint”) was commenced against the above-named defendants in the Trial Court Department for the Commonwealth of Massachusetts, Chelsea District Court, captioned *Louis M. Brown v. Sallie Mae, and GC Services, Inc.*, Civil Action No.: 1314-cv-0188. A copy of the Complaint is attached as Exhibit A.

2. On or about March 19, 2013, GC Services was served with a copy of the Complaint. The time in which GC Services has to file a responsive pleading (April 8, 2013) has not yet expired.

3. Removal is timely under 28 U.S.C. § 1446(b), as thirty (30) days have not elapsed since GC Services first received a copy of the Complaint.

4. Plaintiff's Complaint includes claims under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692 *et seq.* (Counts V and XI), along with claims for Intentional Infliction of Emotional Distress, Negligent Infliction of Emotional Distress, Invasion of Privacy violation of Chapter 93, § 49, and violation of Chapter 93A

5. 15 U.S.C. § 1692 *et seq.* is a Federal statute which provides, among other things, that a consumer can file a civil action when alleged unlawful debt collection practices have been used against him by a debt collector.

6. Pursuant to 28 U.S.C. § 1331, the Court has original jurisdiction over this matter as the Plaintiff's claims under 15 U.S.C. § 1692 arise under the laws of the United States. Additionally, this Court also has supplemental jurisdiction over all other related claims pursuant to 28 U.S.C. § 1367(a). Plaintiff's state law claims do not raise novel or complex issues of State law or otherwise predominate over Plaintiff's claims under the FDCPA.

7. Removal of this action to this Court is permissible under the provisions of 28 U.S.C. § 1441(a) in that it is a civil action founded on a claim or right arising under the laws of the United States. Furthermore, the state causes of action are so related to the claim under 15 U.S.C. § 1692 that they form part of the same case or controversy under Article III of the United States Constitution.

8. Sallie Mae consents to removal of this action. A copy of Sallie Mae's consent to removal is attached as Exhibit B.

9. In accordance with 28 U.S.C. § 1446(d), written notice of the filing of this removal notice will be given to Plaintiff and will be filed with the Clerk of Courts for Chelsea District Court, following the filing of this notice.

10. In submitting this Notice of Removal, GC Services reserves all defenses, including lack of personal jurisdiction.

WHEREFORE, Defendant, GC Services Limited Partnership, with Defendant Sallie Mae, Inc.'s consent, hereby removes this action from Chelsea District Court to the United States District Court For The District Of Massachusetts.

Respectfully submitted,
GC SERVICES LIMITED PARTNERSHIP
By Its Attorneys,

/s/ Andrew M. Schneiderman

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Date: April 8, 2013

CERTIFICATE OF SERVICE

I, Andrew M. Schneiderman, hereby certify that the documents filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Andrew M. Schneiderman

Andrew M. Schneiderman